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July 11, 2024

Via eFiling Only

Honorable Evelyn Padin, U.S.D.J.
U.S. District Court of New Jersey
MLK Building & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: C&C Arc Stone Realty, LLC v. Naya Stone, LLC
Docket No. 2:24-cv-07447-EP-JSA

Dear Judge Padin:

This firm represents the interests of C&C Arc Stone Realty, LLC in the above-referenced matter. We write to Your Honor with regard to a Notice of Removal filed by Defendant, Naya Stone, LLC, on July 1, 2024. This matter was initially filed in the Superior Court of New Jersey, Law Division, Special Civil Part, Landlord-Tenant Division, Bergen County, under docket number BER-LT-3177-24. This letter is sent with respect to a proposed Motion for Remand and in an effort to comply with Your Honor's General Pretrial and Trial Procedures, specifically § 2(e)(i), Pre-Motion Conference in Civil Cases.

Plaintiff commenced the LT action for possession and no monetary damages were sought. This action was filed pursuant to R. 6:3-4. Accordingly, this matter does not meet the jurisdictional prerequisites of 28 U.S.C. § 1332 and should be remanded. See Leonard Parness Trucking Corp. v. Omnipoint Communs., Inc., 2013 U.S. Dist. LEXIS 139143 *; 2013 WL 5436541 (Court rejected tenant's argument in action for possession, that "a reasonable reading of the value of the rights litigated" was appropriate to satisfy Section 1332 as to amount in controversy).

We wish to discuss this matter in further detail with Your Honor prior to filing a motion in compliance with Your Honor's pretrial procedures.

Respectfully,

Wendy M. Crowther

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WMC/eeg

Cc: Honorable Jessica S. Allen, U.S.M.J. (Via E-Filing)
Avram E. Frisch, Esq. (Via E-Filing)